

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 20**  
**November 21, 2016          6:00 P.M.**

\*\*\*\*\*

A. The meeting was called to order by Chairwoman Almond at 6:09 P.M. The Chairwoman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 25 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES, JR.	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
TODD K. CRANDELL	SEVENTH DISTRICT

**B. APPROVAL OF JOURNAL**

Upon motion by Councilman Crandell, seconded by Councilwoman Bevins, the reading of the Journal Entries for the meeting of November 7, 2016 was waived and accepted unanimously.

**C. ENROLLMENT OF BILLS**

The Chairwoman stated that the following Bills were passed by the County Council and signed by the County Executive. She certified and delivered to the Secretary, Bills 72-16 and 73-16.

**D. INTRODUCTION OF BILLS**

**Bill 81-16**, entitled An Act for the purpose of amending the 2016-2017 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the Maryland Department of Health and Mental Hygiene, Behavioral Health Administration.

**Bill 82-16**, entitled An Act for the purpose of amending the 2016-2017 Capital Budget, by appropriating \$88,228,250 as authorized in Bills 32-16 and 33-16; and appropriating \$4,750,000 in forward-funded State funds.

**Bill 83-16**, entitled An Act for the purpose of a correcting a certain requirement in the location of open space, as added by Bill 73-16; and generally relating to open space.

**Bill 84-16**, entitled An Act for the purpose of requiring that a certain percentage of the Transient Occupancy Tax be allocated to the Office of Tourism and Promotion; and generally relating to the Transient Occupancy Tax.

**Bill 85-16**, entitled An Act for the purpose of prohibiting certain retail businesses in the Owings Mills C.T. District; and generally relating to uses in the Owings Mills C.T. District.

**Bill 86-16**, entitled An Act for the purpose of revising certain requirements and design guidelines for the Downtown Towson District; clarifying the applicability of certain provisions regulating the Downtown Towson District as adopted by Bill 49-16; and generally relating to the Downtown Towson District.

**Bill 87-16**, entitled An Act for the purpose of amending the definition of a convenience store by increasing the permitted gross floor area of a convenience store; permitting a fuel service station within a certain distance of certain residentially-zoned property under certain conditions; permitting a fuel service station in a planned shopping center if at least a certain portion is under construction; permitting a combination of a convenience store and a carry-out restaurant as an ancillary use in conjunction with a fuel service station; amending the minimum site area requirement for a convenience store and carry-out restaurant in combination with a fuel service station; and generally relating to fuel service stations and convenience stores.

**Bill 88-16**, entitled An Act for the purpose of amending the uses permitted under certain circumstances in the D.R. Zones; and generally relating to the D.R. (Density, Residential) Zone.

**Bill 89-16**, entitled An Act for the purpose of permitting a commercial solar facility to be located in certain zones of the County by special exception; defining terms; providing for the requirements for a facility; providing for a required security; providing for the maintenance, abandonment, and removal of a facility; authorizing the Code Official to enforce the provisions of this Act; providing exceptions; providing for the application of the Act; and generally relating to commercial solar facilities.

**E. CALL OF BILLS FOR FINAL READING AND VOTE**

**Bill 76-16**, Zoning Regulations - Riding Stables, was called. Councilman Kach moved to amend this Bill with the following amendment:

On page 2, in line 9, after “LINE”, insert “, AND IN EXISTENCE FOR AT LEAST 15 YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ACT”

Councilman Marks seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilman Kach, Bill 76-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

**Bill 77-16**, This Bill was withdrawn prior to the meeting.

**F. APPROVAL OF FISCAL MATTERS**

The Chairwoman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council’s work session on November 15, 2016. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairwoman Almond then called upon the Secretary to read the cover letter for Fiscal Matters 1 through 3.

**1. Contracts – (2) – Snow removal and deicing services – DPW**

Two contracts with Rite Enterprise, LLC and Cuttin It Close Services, LLC, to provide snow removal and deicing services for the County.

**2. Contract – Med-Care Transportation, LLC – Transportation Services – Disabled/Elderly - Aging**

A contract with Med-Care Transportation, LLC, to provide transportation services to residents of Baltimore County who are disabled and/or elderly; and who limited access to proper public, private or commercial transportation.

**3. Contract – Reservoir Ltd. Partnership, Hooks Lane Executive Park Office Condominium Council, Inc. drainage/utility easement-REC**

A contract with Reservoir Limited Partnership, Hooks Lane Executive Park Office Condominium Council, Inc., to acquire a total drainage and utility easement area containing 0.671 acre located at 8 reservoir Circle #203, Pikesville, Maryland 21208, to install a new parallel discharge water main for increased safety and reliability.

There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Jones, Fiscal Matters 1 through 3 were unanimously approved.

**G. MISCELLANEOUS BUSINESS**

**1. Res. 121-16 – Payment in lieu of taxes – Lyon Homes Preservation, LLC**

At the direction of the Chairwoman, the Secretary read this Resolution to authorize the County Executive or other authorized administrative official to enter into a written agreement on behalf of the County with Lyon Homes Preservation LLC (the “Future Owner”) for the payment of stipulated amounts in lieu of regular real property taxes in order to facilitate the development of a rental housing project to benefit families in Baltimore County. Mike Field appeared. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Crandell, this Resolution was unanimously approved.

**2. Res. 122-16 – Assumption of loan/Assistance in financing – Aigburth Vale II, LLC**

At the direction of the Chairwoman, the Secretary read this Resolution of the County Council of Baltimore County, Maryland (the “County Council”) approving the assumption of a loan by Aigburth Vale II, LLC (the “Future Owner”) to assist in the financing of the acquisition and renovation of certain real property in Towson, Baltimore County, Maryland. Andrea Van Arsdale appeared. Councilman Marks commented. There being no further discussion, upon motion by Councilman Marks, seconded by Councilman Quirk, this Resolution was unanimously approved.

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

**3. Res. 123-16 – Payment in lieu of taxes – St. Ambrose Housing Aid Center, Inc.**

At the direction of the Chairwoman, the Secretary read this Resolution to authorize the County Executive or other authorized administrative official to enter into a written agreement on behalf of the County with St. Ambrose Housing Aid Center, Inc. (the “Future Owner”) for the payment of stipulated amounts in lieu of regular real property taxes in order to preserve a rental housing project to benefit eligible persons in Baltimore County. Andrea Van Arsdale remained. Councilman Marks moved to amend this Resolution with the following amendments:

On page 1, in the first paragraph, strike “St. Ambrose Housing Aid Center, Inc.”, and substitute “Aigburth Vale II, LLC”; and strike from “(2001” on page 2 through “Volume)” on page 3.

Councilman Jones seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilman Jones, Resolution 123-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

**4. Res. 124-16 – Planning Board – Community Development Corporations**

At the direction of the Chairwoman, the Secretary read this Resolution of the County Council requesting the Planning Board to develop a strategy to assist Baltimore County communities to investigate the possibility of creating Community Development Corporations. Councilman Quirk commented. There being no further discussion, upon motion by Councilman Quirk, seconded by Councilman Kach, this Resolution was unanimously approved.

**5. Res. 125-16 – Maryland General Assembly – Medication & Supplies for Treatment of Diabetes**

At the direction of the Chairwoman, the Secretary read this Resolution of the Baltimore County Council asking the Maryland General Assembly to review the laws and practices relating to the provision of medical insurance coverage for medication and supplies required for the treatment of diabetes. Councilmembers Quirk and Jones commented. There being no further discussion, upon motion by Councilman Quirk, seconded by Councilman Jones, was unanimously approved.

**6. Res. 126-16 – Support of application – Regional Institution Strategic Enterprise (RISE) Zone - UMBC**

At the direction of the Chairwoman, the Secretary read this Resolution in support of an application to the State of Maryland for the designation of a Regional Institution Strategic Enterprise Zone. Councilman Quirk commented. There being no further discussion, upon motion by Councilman Quirk, seconded by Councilman Kach, was unanimously approved.

**7. Res. 127-16 – Public Disclosure – Mike Bruzdinski**

At the direction of the Chairwoman, the Secretary read this Resolution concerning the public disclosure of Mike Bruzdinski, an employee of the Baltimore County Fire Department, who has applied for a variance to construct holding areas for chickens at his residence at 1866 Marshall Road, Baltimore, Maryland 21222. There being no discussion, upon motion by Councilman Crandell, seconded by Councilman Kach, was unanimously approved.

**8. Res. 128-16 – Property Tax Exemption – DAV – Robert L. Jones, Jr.**

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Robert L. Jones, Jr., who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Quirk, this Resolution was unanimously approved.

**9. Res. 129-16 – Property Tax Exemption – DAV – Walter P. Merski, Jr.**

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Walter P. Merski, Jr., who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Crandell, this Resolution was unanimously approved.

**10. Res. 130-16 – Property Tax Exemption – DAV – Johaun D. Winbush**

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Johaun D. Winbush, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Kach, this Resolution was unanimously approved.

**11. Res. 131-16 – Property Tax Exemption – BLIND – Bernice Koppel**

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Bernice Koppel, who is entitled to a partial exemption from State and County real property taxes by reason of the exemption afforded to blind persons under State law. There being no discussion, upon motion by Councilwoman Almond, seconded by Councilman Kach, this Resolution was unanimously approved.

The Chairwoman stated that the Council would now reconsider the vote by which Resolution 122-16 was approved by the Council. There being no discussion, upon motion by Councilwoman Kach, seconded by Councilman Marks, the motion to reconsider Resolution 122-16 was passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

**Res. 122-16 – Assumption of loan/Assistance in financing – Aigburth Vale II, LLC**

At the direction of the Chairwoman, the Secretary read this Resolution of the County Council of Baltimore County, Maryland (the “County Council”) approving the assumption of a loan by Aigburth Vale II, LLC (the “Future Owner”) to assist in the financing of the acquisition and renovation of certain real property in Towson, Baltimore County, Maryland. Councilman Kach moved to amend this Resolution with the following amendment:

On page 2, in the first paragraph, strike “December 31, 2051”, and substitute “40 years after closing of the loan”.

Councilwoman Bevins seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

Thereafter, upon motion by Councilman Marks, seconded by Councilwoman Bevins, Resolution 122-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell  
Nay - None

There being no further business to come before the Council at this time, upon motion by Councilman Quirk, seconded by Councilwoman Bevins, the meeting adjourned at 6:35 P.M.

  
Thomas J. Peddicord, Jr.